

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

JUAN M. MONTENEGRO,

Plaintiff,

v.

ANTHONY and GRISHAM,

Defendants.

Case No. 1:21-cv-01449-JLT-HBK (PC)

ORDER TO STRIKE UNSIGNED PLEADING

(Doc. No. 27)

On August 23, 2023, Plaintiff filed a titled “Motion For Reconsideration (Circumstances Warranting Reconsideration) Rule 52 (b), Rule 59(e) Rule 60(a), (b), (1); and Excusable neglect or “good cause” doctrine” in this closed case. (Doc. No. 27). The motion is unsigned.

Rule 11 requires all pleadings, written motions, and other papers be signed by at least one attorney of record or by a party personally if the party is unrepresented. Fed. R. Civ. P. 11(a); *see also* E.D. Ca. Local Rule 131(b). “The Court must strike an unsigned paper unless the omission is promptly corrected after being called to the attorney’s or party’s attention.” Fed. R. Civ. P. 11(b). In its First Informational Order, the Court advised Plaintiff that “[e]ach document submitted for filing must include the **original signature** of the filing party.” (Doc. No. 3 at 2, ¶(G) (emphasis in original). The Court further warned Plaintiff that any unsigned document may be stricken. (*Id.*). To the extent Plaintiff wishes the Court to consider his pleading, must refile a signed motion.

1 Accordingly, it is **ORDERED**:

2 The Clerk of Court shall **strike** Plaintiff's unsigned pleading (Doc. No. 27). Plaintiff may
3 re-file a signed motion as appropriate.

4
5 Dated: August 29, 2023


HELENA M. BARCH-KUCHTA
UNITED STATES MAGISTRATE JUDGE